

DANIEL J. BRODERICK, #89424  
Federal Defender  
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Seeking Appointment as Attorney for Defendant  
PHILLIP JACKSON

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) No. Cr. F 03- 5054 OWW  
Plaintiff, )  
) **REQUEST FOR APPOINTMENT OF**  
) **COUNSEL; ORDER**  
)  
) **RETROACTIVE CRACK COCAINE**  
) **REDUCTION CASE**  
)  
v. ) Date: June 30, 2008  
PHILLIP JACKSON, ) Time: 9:00 a.m.  
Defendant. ) Judge: Hon. OLIVER W. WANGER

Pursuant to 18 U.S.C. §§ 3006A(c) and 3852(c)(2), Defendant,  
PHILLIP JACKSON, hereby requests the court appoint the Office of the  
Federal Defender and Assistant Federal Defender David M. Porter as  
counsel to represent him with respect to his motion to reduce sentence  
pursuant to 18 U.S.C. § 3582(c)(2), filed April 25, 2008. Mr. Porter  
is familiar with the case and is willing to accept the appointment.\*

Appointment of counsel would serve the interests of justice in this case because it might facilitate a negotiated disposition of the motion and because the motion might raise novel legal issues

\* Mr. Jackson has authorized the undersigned to file this application on his behalf.

1 surrounding application of the United States Sentencing Commission's  
2 recent retroactive reduction of sentences under the crack cocaine  
3 guidelines. Because Mr. Jackson's substantial rights may be affected  
4 by these criminal proceedings, he is constitutionally entitled to  
5 appointment of counsel. *Mempa v. Rhay*, 389 U.S. 128, 134 (1967).

6 Accordingly, Mr. Jackson requests the Court issue the order lodged  
7 herewith.

8 Dated: June 17, 2008

9 Respectfully submitted,

10 DANIEL J. BRODERICK  
Federal Defender

12 /s/ David M. Porter  
13 DAVID M. PORTER  
Assistant Federal Defender

14 Seeking Appointment as Attorney for Movant  
PHILLIP JACKSON

16 **O R D E R**

17 Pursuant to defendant's request, and good cause appearing  
therefor, the Office of the Federal Defender and Assistant Federal  
19 David M. Porter is hereby appointed to represent defendant with respect  
20 to his motion to reduce sentence.

22 IT IS SO ORDERED.

23 Dated: June 17, 2008

24 /s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE